

To: Minister
Cc: Dermot Mulligan A/Sec; Secretary General
From: Mary McGarry PO
Re: Contributions Towards the Residential Institutions Statutory Fund
Date: 25 May 2012

Abstract
DELETED.

Background

1. The Statutory Fund is being financed from the contributions offered by the congregations in response to the call for additional substantial contributions. The cash offers amount to €107m, as the original offers of €111m included a €4m offer from the Christian Brothers that was subsequently clarified would be contributed to Faoiseamh/Towards Healing. There have been discussions with Towards Healing in relation to the Statutory Fund accessing this funding (see paragraph 6 below). DELETED As the passage of the Residential Institutions Statutory Fund Bill 2012 has commenced in Dáil Éireann, it is essential that the congregations confirm the timing of their contributions to the Fund. During the course of your Second Stage Debate, you commented

“While I expect that most congregations will forward their contributions on the establishment of the Fund, I am engaging with some to clarify the exact timing of their contribution and expect to be in a position to confirm the position to the House as the Bill proceeds”.

Breakdown of Contribution Offers/Timing of Contributions

2. Fifteen congregations pledged cash contributions. To date cash contributions amounting to **€21.05m** have been received and placed in a special interest bearing account in the Central Bank pending the establishment of the Statutory Fund. 6 of the 15 congregations have transferred their full cash contribution offer (i.e. Daughters of the Heart of Mary; Dominican Friars; Hospitaller Order of St John of God; Presentation Sisters; Sisters of St. Clare and Sisters of St Louis). Five congregations have paid some of the contributions and have a further €14.95m to forward (i.e. Brothers of Charity; Daughters of Charity of St Vincent de Paul; Presentation Brothers; Sisters of Charity; Sisters of Our Lady of Charity).
3. The remaining 4 congregations that have made cash contribution offers and where no payments have been made are as follows:

Christian Brothers

The congregation offered **€30m**, €10m of which was to be paid over 3 years [2010-2012] and a further €20m the timing of which was linked to the disposal of properties, but ideally within 5 years.

De La Salle

The congregation offered **€1m** which was subject to the terms of the Fund being acceptable to the congregation and to its compliance with charity and trust law.

Oblates

The congregation offered **€20m** which will be paid on the establishment of the Fund subject to the congregation being satisfied that the payment is in compliance with the charity law requirements and their concerns that the Fund is being restricted to those who received redress awards. The congregation has now proposed an amendment to the text of the Bill in relation to the charitable status provisions and this proposal is currently being examined.

Sisters of Mercy

The congregation offered **€20m**, which was to be paid in instalments over five years. DELETED.

Proposed Letters to Issue

4. DELETED

Likely Timescale for Receipt of Contributions

5. The following table outlines the likely timescale for receipt of the cash contributions.

	Total	Cumulative Total
Received to Date	€21.05m	
Amount Expected By end 2012/Establishment of Fund	€40.45m	€61.5m
Amount Expected in 2013	€4m	€65.5m
Amount Expected in 2014	€3m	€68.5m
Amount Expected in 2015	€2m	€70.5m
Amount Expected in 2016	€2m	€72.5m
Amount Expected in 2017	€2m	€74.5m
Unspecified Timing/To be Confirmed	€32.5m	€107m

Other Issues Arising

6. DELETED

APPENDIX DELETED